

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

INDY AUTO PARTS,

Plaintiff,

Case No. 14-cv-14093  
Hon. Matthew F. Leitman

v.

GENUINE PARTS COMPANY,

Defendant.

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**ORDER DISMISSING PLAINTIFF'S COMPLAINT (ECF #1-2)**  
**WITHOUT PREJUDICE**

On August 13, 2015, this Court issued an Order terminating the appearance of Plaintiff Indy Auto Parts' ("Plaintiff") counsel and directing Plaintiff to obtain new counsel no later than September 15, 2015. (*See* ECF #27 at 1, Pg. ID 272.) The Court instructed Plaintiff that "[i]f new counsel for Plaintiff has not filed an Appearance by that time, this action shall be dismissed without prejudice." (*Id.*)

Plaintiff phoned the Court on or about September 15, 2015, explained that it had not yet found replacement counsel, and requested an extension to do so. The Court orally granted Plaintiff a 13-day extension and directed Plaintiff to have replacement counsel file an Appearance with the Court no later than September 28, 2015. Plaintiff failed to comply with that extended deadline.

Plaintiff then sent the Court a letter dated September 29, 2015, requesting an additional 30 days to find replacement counsel. Despite having ample time to comply with the Court's Order and despite the Court's warning that failure to comply would result in this case's dismissal, Plaintiff has now missed two deadlines to obtain new counsel. Accordingly, **IT IS HEREBY ORDERED** that Plaintiff's Complaint (ECF #1-2) is **DISMISSED** in its entirety **WITHOUT PREJUDICE**.

s/Matthew F. Leitman  
MATTHEW F. LEITMAN  
UNITED STATES DISTRICT JUDGE

Dated: October 6, 2015

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on October 6, 2015, by electronic means and/or ordinary mail.

s/Holly A. Monda  
Case Manager  
(313) 234-5113